

Docket No: 38-77(52900)G

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Cathy C. Laurie )  
Serial No: 10/806,075 )  
Filed : 3/22/2004 )  
For: Nucleic Acid Molecules Associated )  
With Oil in Plants )

Art Unit: 1638  
Examiner: unassigned

**Certificate Of Facsimile Transmission**  
**Petition for Extension of Time**  
**Response To Notice To File Missing Parts**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Response To Notice To File Missing Parts Of Nonprovisional Application**

Responsive to the Notice To File Missing Parts of Nonprovisional Application mailed 10/22/2003 with a two month period to reply, applicants submit herewith:

- a Certificate of Facsimile Transmission as set out below,
- a request to process and retain the above-referenced application as abandoned,
- a Petition for Extension of Time Under 37 CFR 1.136(a) to extend the time for response by four months to 12/01/2004,
- a fee Transmittal for FY 2005 for payment of:
  - (a) a late fee surcharge as set forth in 37 CFR 1.16(e)
  - (b) a process and retention fee as specified in 37 CFR 1.21(l)
  - (c) a petition fee for 4 month extension of time under 37 CFR 1.136(a)

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DEC - 2 2004  
OIPE/JCWS

**Certificate of Facsimile Transmission – 5 pages**

This communication including (a) the attached Fee Transmittal for FY 2004 and (b) a copy of the Notice to File Missing Parts are being facsimile transmitted to the Office of Initial Patent Examination for Response to Notice to File Missing Parts, i.e. 703-746-4060 on December 1, 2004.

Thomas E. Kelley, Registration No. 29,938

12/02/2004 CNGUYEN 00000078 134125 10806075  
02 FC:1254 1530.00 DA  
03 FC:8025 130.00 DA



Docket No: 38-21(52703)G


Petition for Extension of Time to Respond

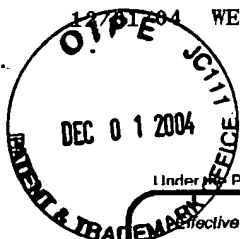
Applicant hereby petitions the Commissioner to extend the time for response from the 08/01/2004 deadline of two months from the 06/01/2004 date of the Notice to File Missing Parts for four months, i.e. to 12/01/2004. The fee for extension for reply within four months is authorized for payment on the attached Fee Transmittal for FY 2005.

Response To Notice To File Missing Parts

Applicant hereby requests that the Commissioner process and retain the above-referenced application Serial No. 10/806,075 as abandoned. The fee for retaining an abandoned application under 37 CFR 1.21(l) and the surcharge for late filing fee under 37 CFR 1.16(e) are authorized for payment on the attached Fee Transmittal for FY 2005.

Respectfully submitted,

  
Thomas E. Kelley  
Registration No. 29, 938  
Attorney for Applicants  
Phone: 860 572-5274



PTO/SB/17 (11-04)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 10/01/2004. Patent fees are subject to annual revision.

**FEE TRANSMITTAL  
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**1790****Complete if Known**

Application Number	10/806,075
Filing Date	03/22/2004
First Named Inventor	Cathy C. Laurie
Examiner Name	
Art Unit	1638
Attorney Docket No.	38-77(52900)G

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order☒ Deposit Account ☐ NoneDeposit  
Account  
Number  
Deposit  
Account  
Name**134125****Monsanto Company**

The Director is hereby authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below
- ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
- ☒ Credit any overpayments

to the above-identified deposit account.

☐ Other (please identify):

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING FEE**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility Filing Fee	790	395	
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	

**Subtotal (1) \$****FEE CALCULATION (continued)****2. EXTRA CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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\_\_\_\_\_ - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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\_\_\_\_\_ - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
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**Subtotal (2) \$****3. OTHER FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
1-month extension of time	110	55	
2-month extension of time	430	215	
3-month extension of time	980	490	
4-month extension of time	1,530	765	1530
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(g) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	
Request for oral hearing	300	150	
surcharge -late filing fee			130
Other: process & retention fee 37 CFR 1.21(f)			130

**Subtotal (3) \$ 1790****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	29,938	Telephone	860-572-5274
Name (Print/Type)	Thomas E. Kelley	Date			

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,075	03/22/2004	Cathy C. Laurie	38-77(52900)G

CONFIRMATION NO. 1391

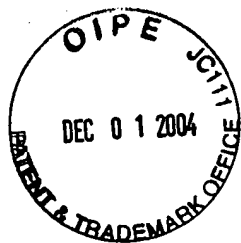
## FORMALITIES LETTER



\*OC000000012833542\*

27161  
 MONSANTO COMPANY  
 800 N. LINDBERGH BLVD.  
 ATTENTION: G.P. WUELLNER, IP PARALEGAL, (E2NA)  
 ST. LOUIS, MO 63167

Date Mailed: 06/01/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$900 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

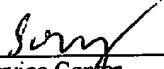
Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

12/02/2004 CNGUYEN 00000078 134125 10806075

01 FC:1051 130.00 DA

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY